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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,898	12/21/2001	Yuji Yoshimoto	217502US2	5325

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER

HARTMAN JR, RONALD D

ART UNIT	PAPER NUMBER
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2121

10

DATE MAILED: 02/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicant(s)

10/023,898

Applicant(s)

YOSHIMOTO ET AL.

Examiner

Ronald D Hartman Jr.

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,5-7,9,10,13,14,16,17,20-22,24-30,32,34,36,38, 40, 42-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-7,9,10,13,14,16,17,20-22,24-26,29,30,32,34,36,38,40,42 is/are rejected.
- 7) ☒ Claim(s) 27,28 and 43 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is in response to the Amendment filed on 12/3/2003.
2. Claims 1-2, 5-7, 9-10,13-14,16-17, 20-22, 24-30, 32, 34, 36, 38 and 40 and 42-43 are represented for further examination.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-2, 5-7, 9-10,13-14,16-17, 20-22, 24-30, 32, 34, 36, 38, 40 and 42-43 have been considered but are moot in view of the new ground(s) of rejection set forth below in this office action.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 5, 9, 13, 16, 20 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Coronel et al., U.S. Patent No. 6,363,294.
6. As per claims 1, 5, 9, 13, 16, 20 and 25, Coronel teaches a processing apparatus (tool) comprising:

- a processing apparatus body for executing a process to a object (Figure 1; "Process Tool" and C1 L28, "A processing tool...";
- a control mechanism for controlling the processing apparatus body (Figure 2; "11-1" or "11-2" and C1 L58-65, "tool is comprised of two chambers ..."; and
- an information storage section for receiving signals to and from the control mechanism containing information necessary for grasping the real time operation of the apparatus body, and storing the information periodically at prescribed times (Figure 7 element 35 and C10 L20-25, "Supervisor includes an internal database");
- wherein the information includes alarm information including data notifying malfunctions and troubles in the apparatus body during execution of the process (C11 L8-16, "the alert codes have different levels of priorities...").

7. As per claims 2, 5, 10, 13, 17 and 20, Coronel teaches a first and second controller, each of which executes a different control over the apparatus body, and signals being passed between the controllers (Figure 2 elements 16-1 and 16-2 and the use of the Data Bus; element 13).

8. As per claims 6-7, 14 and 21-22 and 24, Coronel teaches a plurality of process units having a detection section (Figure 2 element 17-1; C2 L35-50; to determine

whether or not the wafer is still within the specifications at the output of each chamber ...").

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 26, 29-30, 32, 34, 36, 38, 40 and 42 are rejected under 35 U.S.C. 103(a) as being obvious features associated with typical database management. These features would be obvious since they would allow for effective record maintenance since it would be impossible to store all of the generated data indefinitely, and therefore their inclusion would have been obvious to one of ordinary skill in the art at the invention was made.

11. As per claims 26 and 29, a monitor computer and display are both features that are inherent to Coronel.

***Allowable Subject Matter***

12. Claims 27-28 and 43 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

13. As per claims 27-28, the prior art of record fails to teach a processing apparatus comprising all of the claimed features including a feature wherein the monitor computer receives all of the claimed information's, in combination with the other claimed features and or limitations as claimed by the claimed invention.

14. As per claim 43, the prior art of record fails to teach or adequately suggest a processing apparatus comprising all of the claimed features including a feature wherein an information storage section stored information exactly every 2 seconds, in combination with the other claimed features and or limitations as claimed by the claimed invention.

***Conclusion***

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald D. Hartman Jr. whose telephone number is (703) 308-7001. The examiner normally works Mon. – Fri., 10:30 am – 8:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anil Khatri, can be reached at (703) 305-0282.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9618.

Art Unit: 2121

**Any responses to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or faxed to:**

(703) 872 9306

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Ronald D. Hartman Jr.  
Patent Examiner  
Art Unit 2121  
February 23, 2004

*Ramesh Patel*  
RAMESH PATEL  
PRIMARY EXAMINER 2/23/04  
*For Anil Khatri*